

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Confirmation No.: 5273

Gary Piaget et al.

Group Art Unit: 3764

Application No.: 10/789,182

Examiner: Crow, Stephen R.

Filed: February 26, 2004

For: DUAL DECK EXERCISE DEVICE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
(Under 37 C.F.R. § 1.97(c)(2) and § 1.98)

Sir:

The Examiner is requested to consider the references noted on the enclosed Form PTO/SB/08a and PTO/SB/08b during examination of the above-identified patent application. The references are submitted for the Examiner's consideration and are submitted pursuant to the duty of disclosure under 37 C.F.R. § 1.56. In submitting the references, no representation is made or implied that the references are or are not material to the examination of the application. The Examiner is encouraged to make his or her own determination of materiality. Pursuant to 37 C.F.R. § 1.98(a)(2)(i), copies of the U.S. patent documents and U.S. patent publication documents are not provided, unless required by the Office. Photocopies of the foreign patent documents and non-patent literature documents are provided herewith.

Chinese patent publication No. 2510102Y and Taiwan publication Nos. 472593 and 547,102 Y are not in the English language. Therefore, in compliance with 37 C.F.R. § 1.98(a)(3)(i), an English translation of the abstract and the claims is attached to Chinese patent publication No. 2510102Y, which is enclosed, to satisfy the requirement for a concise explanation of relevance. The figures are substantially similar to US 6,461,279, having the same inventor, and which has already been cited in the instant application. Also, a complete English translation of Taiwan publication Nos. 472593 and 547,102 Y are enclosed, and attached to these references to satisfy the requirement for a concise explanation of relevance.

Chinese patent publication No. 2675190Y and Taiwan patent publication Nos. 381497, 367860, 375944, M249682, and 515306 are not in the English language. Therefore, pursuant to 37 C.F.R. § 1.98(a)(3)(i), any information disclosure statement filed under 37 C.F.R. § 1.97 shall include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 C.F.R. § 1.56(c) most knowledgeable about the content of the information, of each patent, publication or other information listed that is not in the English language. The concise explanation may be either separate from the specification or incorporated therein.

Chinese patent publication No. 2675190Y appears to disclose an exercise machine having dual treadles pivoted at the rear. Shock absorbers appear to be attached between the treadles and the frame, below each treadle. A single shaft appears to be disclosed. Rolling links are disposed between the treadles and the frame to move in a reciprocating manner as each treadle moves up and down. A variety of shock positions are shown.

Taiwan patent publication No. 381497 and Taiwan patent publication No. 367860 appear to disclose an exercise machine having a single treadmill pivotally connected to a frame to move between a folded storage position and an unfolded use position. A motor with an extension arm appears to be disposed between the frame and the treadmill to assist or control movement of the treadmill between the storage and use positions. Also, a hydraulic cylinder or shock appears to be disposed between the frame and the treadmill to assist the motor with such movement. An embodiment with a foldable handlebar consol appears to be disclosed to reduce storage space needed.

Taiwan patent publication No. 375944 appears to disclose an exercise machine having a single treadmill pivotally connected to a frame by a linkage arrangement. The linkage arrangement appears to be driven by a longitudinal translation of a shaft driven by a motor. Extension of the shaft appears to decrease an inclination of the treadmill, while retraction of the shaft appears to increase the inclination of the treadmill relative to the frame. The pivotal connection to the linkage also appears to allow the treadmill to be folded into an upright storage position when the inclination of the treadmill relative to the frame is increased sufficiently.

Taiwan patent publication No. M249682 appears to disclose an exercise machine having dual treadles pivoted at the rear. Shock absorbers appear to be attached between the treadles and the frame, below each treadle. A single shaft appears to be disclosed. Rolling links are

disposed between the treadles and the frame to move in a reciprocating manner as each treadle moves up and down. A variety of shock positions are shown.

Taiwan publication No. 515306 appears to disclose a treadmill exercise device having dual treads substantially as described with respect to Figs. 1-13 in U.S. Patent No. 6,461,279 to Kuo.

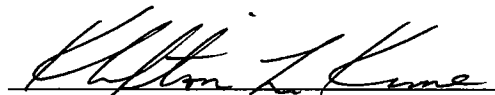
Soviet Union patent publication No. 1 265 113 A1 is not in the English language. Therefore, in compliance with 37 C.F.R. § 1.98(a)(3)(i), an English translation of the abstract (from Derwent Publications) is attached to this reference, which is enclosed, to satisfy the requirement for a concise explanation of relevance.

Pursuant to 37 C.F.R. § 1.97(c)(2), please charge Deposit account No. 04-1415 in the amount of \$180.00 which covers the fee associated with the filing of this Supplemental Information Disclosure Statement. If any additional fees are deemed necessary, such fees may be charged to Deposit Account No. 04-1415.

If the Examiner has any questions, please contact the undersigned.

Dated: November 24, 2008

Respectfully submitted,



Klifton L. Kime, Reg. No. 42,733
DORSEY & WHITNEY LLP
370 Seventeenth Street, Suite 4700
Denver, CO 80202-5647
Tel: (303) 629-3400
Fax: (303) 629-3450

USPTO Customer No.: 80705

Enclosures